

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 126**

Introduced by Avery, 28.

Read first time January 09, 2009

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to constitutional officers; to amend sections  
2 49-1401 and 49-1463.01, Revised Statutes Cumulative  
3 Supplement, 2008; to require financial disclosure  
4 reports; to provide a late filing fee; to harmonize  
5 provisions; and to repeal the original sections.  
6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 49-1401, Revised Statutes Cumulative  
2 Supplement, 2008, is amended to read:

3           49-1401 Sections 49-1401 to 49-14,141 and section 2 of  
4 this act shall be known and may be cited as the Nebraska Political  
5 Accountability and Disclosure Act.

6           Sec. 2. (1) A candidate for the office of or person  
7 serving as Governor, Secretary of State, Auditor of Public  
8 Accounts, State Treasurer, or Attorney General shall file a  
9 financial disclosure report at the time he or she files a candidate  
10 filing form pursuant to the Election Act and on the first day of  
11 each calendar quarter thereafter until he or she is no longer a  
12 candidate for such office or serving in such office. A candidate  
13 for the office of or person serving as Lieutenant Governor shall  
14 file a financial disclosure report at the time he or she files a  
15 written consent pursuant to section 32-619.01 and on the first day  
16 of each calendar quarter thereafter until he or she is no longer a  
17 candidate for the office of Lieutenant Governor or serving as the  
18 Lieutenant Governor. Any person serving in any of such offices on  
19 the effective date of this act shall file a financial disclosure  
20 report on the first day of the first calendar quarter which begins  
21 after the effective date of this act.

22           (2) A financial disclosure report shall include the full  
23 name of the individual filing the report, the office for which he  
24 or she is a candidate or which he or she holds, the dollar amount  
25 of any salary or wages received on a calendar-year basis, either as

1 cash, goods, or services, from any other person, the full name and  
2 address of each person from whom the individual filing the report  
3 receives salary or wages, and an estimate of the amount of time  
4 spent in a calendar year in return for such salary or wages.

5 (3) Any person who fails to file a financial disclosure  
6 report with the commission under this section shall pay to the  
7 commission a late filing fee of twenty-five dollars for each day  
8 the report remains not filed in violation of this section, not to  
9 exceed seven hundred fifty dollars.

10 Sec. 3. Section 49-1463.01, Revised Statutes Cumulative  
11 Supplement, 2008, is amended to read:

12 49-1463.01 (1) A person required to pay a late filing  
13 fee imposed under section 32-1604, 32-1604.01, 32-1606.01, 49-1449,  
14 49-1458, 49-1463, 49-1467, 49-1469.08, 49-1478.01, or 49-1479.01 or  
15 section 2 of this act may apply to the commission for relief. The  
16 commission by order may reduce the amount of a late filing fee  
17 imposed and waive any or all of the interest due on the fee upon  
18 a showing by such person that (a) the circumstances indicate no  
19 intent to file late, (b) the person has not been required to pay  
20 late filing fees for two years prior to the time the filing was  
21 due, (c) the late filing shows that less than five thousand dollars  
22 was raised, received, or expended during the reporting period, and  
23 (d) a reduction of the late fees and waiver of interest would not  
24 frustrate the purposes of the Nebraska Political Accountability and  
25 Disclosure Act.

1           (2) A person required to pay a late filing fee imposed  
2 for failure to file a statement of exemption under subsection (2)  
3 of section 49-1459 may apply to the commission for relief. The  
4 commission by order may reduce or waive the late filing fee and  
5 waive any or all of the interest due on the fee, and the person  
6 shall not be required to make a showing as provided by subsection  
7 (1) of this section.

8           Sec. 4. Original sections 49-1401 and 49-1463.01, Revised  
9 Statutes Cumulative Supplement, 2008, are repealed.